

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PHYLLIS L. JACKSON,

Plaintiff,

- against -

**ORDER**  
06-CV-1835 (RRM)(MDG)

THE CITY OF NEW YORK and THE NEW YORK  
CITY POLICE DEPARTMENT,

Defendants.

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**MAUSKOPF, United States District Judge:**

On August 6, 2008, Defendants moved for summary judgment as to Plaintiff's claims against the New York City Police Department, and as to Plaintiff's claims for retaliation and discrimination on the basis of race and disability. [Doc. No. 26.] By Order entered November 24, 2008, this Court referred this matter to the assigned Magistrate Judge, the Honorable Marilyn D. Go, for a Report and Recommendation. On March 3, 2011, Judge Go issued a Report and Recommendation (the "R&R") [Doc. No. 31] recommending that the Court grant Defendants' motion for summary judgment as to Plaintiff's racial discrimination and retaliation claims, as well as to all claims against the New York City Police Department. She further recommended that the motion for summary judgment be denied as to Plaintiff's disability discrimination claim. Judge Go reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due March 21, 2011, and this Court extended the time to file objections to April 21, 2011. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R [Doc. No. 31] in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, Defendants' motion for summary judgment [Doc. No. 26] is GRANTED as to Plaintiff's racial

discrimination claim, retaliation claim, and all claims against the New York City Police Department, and DENIED as to Plaintiff's disability discrimination claim. This matter is re-committed to the assigned Magistrate Judge for supervision of any settlement discussions, and all remaining pre-trial issues including the preparation of a Joint Pre-Trial Order consistent with this Memorandum and Order.

SO ORDERED.

Dated: Brooklyn, New York  
April 22, 2011

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ROSLYNN R. MAUSKOPF  
United States District Judge